

## **CAMDEN PLANNING BOARD**

### **Minutes of Meeting**

**November 17, 2010**

**PRESENT:** Acting Chair Lowrie Sargent; Members Richard Householder, Jan MacKinnon, and Kerry Sabanty; Alternate Member Sid Lindsley; and CEO Steve Wilson

**ABSENT:** Chair Chris MacLean and Alternate Member Nancy McConnel

#### **1. PUBLIC COMMENT:**

No one came forward.

#### **2. MINUTES:**

NOTE: Mr. Sabanty had not yet arrived when the Minutes were reviewed. There were three regular members and one alternate (Mr. Lindsley) voting, all of whom had been present at both meetings.

October 6, 2010:

Page 2:

Line 12: CEDAC was spelled incorrectly

Line 43: Mr. Eddy's first name is Matthew

Page 3: Line 1: Ms. Klein's first name is spelled "Dorie".

Page 4: Lines 38 and 39: The paragraph now reads: "...like houses in disrepair." (The remainder of the sentence was deleted.)

**MOTION by Mr. Householder seconded by Mr. Lindsley to approve the Minutes of October 6, 2010 as corrected.**

**VOTE: 4-0-0**

November 3, 2010:

Mr. Anders's name had been misspelled throughout the Minutes.

For clarity's sake the → symbols found on Page 3 Line 18 through Page 3 Line 40 were removed. They had been intended only to draw attention to the submission items that were of special relevance to the Site Plan under discussion.

Page 6: Line 20: Ms. Dodge was not present this evening but Board members recalled that her comments were that she had not made up her mind as to how she would vote on the Subdivision roads Ordinance Amendment, but that her decision was colored by the comments made from the audience. Replacement language for the Minutes will be run by Ms. Dodge for accuracy.

**MOTION by Mr. Householder seconded by Mr. Lindsley to approve the Minutes of November 3, 2010 as amended.**

**VOTE: 4-0-0**

#### **3. FRIENDS of RAGGED MOUNTAIN: Discussion of Wind Energy Ordinance**

Dorie Klein: 30 Dirt Road, Camden: Ms. Klein lives on the lower side of Ragged Mountain and became involved with the issue of wind energy when the proposal to pursue the installation of industrial wind generators was put forward in the summer of 2010. The Friends of Ragged Mountain was formed to coordinate efforts to oppose that particular project. Members of the group put then their names forward to serve on a three-town committee being proposed to

coordinate and draft wind ordinance(s) for the towns of Camden, Hope and Rockport. Ragged Mountain is within all three borders and the joint effort to develop compatible wind ordinances was based on the mutual interests of the residents of all three towns. The Camden Select Board put Camden's participation in that effort on hold. The group is now focusing on the creation of a Wind Energy Ordinance for Camden because they believe that without an ordinance to control the development of commercial wind projects, the Town is vulnerable. They have come this evening to present their argument that Camden needs a protective wind ordinance at this time.

Two reasons this issue is made more urgent are:

- (1) Five surrounding towns do have ordinances that control wind projects and, because of their standards, locating commercial wind projects is, in some cases, nearly impossible. That makes this area more attractive to developers.
- (2) The State's "fast track review" is implemented in towns that do not have protective ordinances.

There is a great deal of interest in the subject by local government officials as evidenced by the number of attendees at a recent conference on how to put together a wind ordinance.

Cindy Gagnon: Camden: Ms. Gagnon outlined her ten years of experience with wind ordinances in Vermont. There she saw what can happen when towns don't have ordinances and do not have a seat at the table when a project comes to their town. The opportunity for local input is greatly reduced without a local review process. She referenced the Dixmont Ordinance as a good example of a locals' effort showing great care in drafting a protective ordinance. They did a lot of leg work visiting actual sites and also did a great deal of research. They now have the authority they need to control the process. She liked the idea of the three-town collaboration, and thinks it is important to go back to those towns to re-start that effort.

Dana Strout: 30 Dirt Road, Camden: Why should they care if the town has adequate protection? Mr. Strout referenced the 2005 Comprehensive Plan to answer his question noting the many references to the importance of protecting Ragged Mountain. He also noted the Plan goal of protecting the Goose River Watershed, and suggested that any commercial development on the top of Ragged Mountain would cause such destruction to the topography that the watershed would suffer damage. Included in that watershed are many wetlands that are also classified as worthy of protection by the Plan. The last Plan reference was a goal of protecting the views of and from the mountain. One additional reason to consider Ragged Mountain vulnerable without a protective ordinance is the fact that other local mountain tops are protected either as State Park lands or through conservation easements held by the local land trust. The only place left for development is Ragged Mountain.

He prefers the Montville Ordinance as a model because of the extensive bibliography contained within the ordinance itself. What is intriguing about writing a protective ordinance like this one is that the protective standards would almost preclude installation within Camden. He cautioned that things can happen very fast – especially with the State's ordinance fast-track.

Tim Woodworth: Rockport: The Town of Rockport authorized the Ordinance review Committee to begin work on a wind ordinance. He thinks the towns need to talk and share information as ordinance development goes forward.

Dorie Klein: She has spoken to Hope's Town Manager and Hope is interested in moving along with a wind ordinance as well.

She would like to leave with some sense of whether or not the Board thinks that it is worth considering an ordinance, and if they do she wonders how the group might help.

Mr. Sargent noted that they just received the packet that the group provided and need time to study the contents. He also noted that the Select Board did not set aside the development of a wind ordinance altogether, but just until the town could figure out the best way to proceed. He reminded the group that nothing could be constructed on Town-owned property without a vote of the Town, and that the High Elevation standards as well as Site Plan Review would come into play for any large development at that elevation. He believes the Board should add this item to their next agenda and discuss whether or not developing an ordinance makes sense. He also wonders how the Board's work would fit into a process that might involve other towns.

Mr. Wilson offered to obtain Southwest harbor's wind ordinance as another model. The group clarified that they were interested in addressing commercial installations and not residential turbines.

Cindy Gagnon: Informed the Board that the local ordinances like the ones that Camden has that might offer some degree of review, were overridden by the State of Vermont's wind ordinance when the State displaced local ordinances if they did not specifically deal with wind. The argument was that the State considered what was best for the State as a whole – similar to what Maine has just done with their fast-track.

She also likes Montville's Ordinance because the drafters included the reasons they created each standard, backed by citations to actual documents and studies. This language is in the body of the Ordinance, which is very unusual, but helps to clarify the intent.

#### **4. DISCUSSION:**

1. *Site Plan Review pre-applications:* There were none

2. *Minor Field Adjustments:* There were none

3. *Possible Amendments for June (2011):*

Wind: Mr. Wilson suggested that the Board might consider looking at a more comprehensive ordinance that included more forms of alternative energy than just wind. Solar, especially, is developing concepts for large commercial installations (solar farms); perhaps the Board does want to look at home wind units – those units were the ones that first generated interest in developing a Camden Wind Ordinance; and wood boilers can create situations that may need regulating.

Home Occupations: Mr. Wilson had gathered information on the numbers of Home Occupation permits issued since 1993 (173 permits) but does not know how many are still active. He is trying to find a way to get updated information, and Mr. Sargent suggested advertising the fact that the Board is going to begin work on an Ordinance, and wants feedback from current (and past) permit holders regarding problems they are experiencing or have experienced with the

Ordinance. Permit holders can also make suggestions for fixes. The Chamber's monthly newsletter would be a good place to publish that letter asking people to let those they know that do have home occupations know of this opportunity. He can put the word out at the December CEDAC Board meeting when this issue will be on the agenda.

*4. December 1st meeting:*

Wind ordinances:

The Board would like model ordinances to review

Subdivision roads including fire hydrants:

Mr. Wilson updated the Board on the Mountain Arrow situation saying that he gave Mr. Bratz an opportunity to come into compliance. If he has not met the deadline set, Mr. Wilson will issue a Notice of Violation. This kind of forewarning and giving violators time to comply is a new policy he and Bill Kelly have worked out to try to encourage compliance without the expense of actual violations being issued.

Work session on possible ordinance amendments:

Mr. Wilson distributed an updated worksheet on current priorities and on "housekeeping" amendments he is recommending as he discovers them. The Board does want to discuss the new item he added, seasonal seating issue at restaurants; does the seasonal increase in seating capacity have any impact on the total parking requirement? Should the ordinance address this? At the same time they are interested in pursuing the sit down/fast food issue they have previously discussed.

*6. Other:*

Mr. Wilson informed the Board that it seems as if resistance to Gateway 1 is growing. At the most recent meeting, 40 "radicals" turned out to protest the Gateway1 project. The Board discussed possible ramifications from the turnover of State government in January as well as the impact the turnover of both legislative houses might have on the transportation budgets. How much sense does it make to go forward without guaranteed funding in place?

There being no further business before the Board they adjourned at 6:45pm.

Respectfully submitted,

Jeanne Hollingsworth, Recording Secretary